

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV707248737US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: November 14, 2005 Signature: Staci Harris

(Staci Harris)

Docket No.: 05542/071002
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Robert L. Horton et al.

Application No.: 10/620,041

Art Unit: 1712

Filed: July 15, 2003

Examiner: Charles R. Richard

For: SURFACTANT-POLYMER COMPOSITIONS
FOR ENHANCING THE STABILITY OF
VISCOELASTIC-SURFACTANT BASED
FLUID

UNAVAILABILITY OF INVENTOR PETITION UNDER 37 C.F.R. § 1.47

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated May 13, 2005, please consider the following reply.

The application lists seven inventors: Robert L. Horton, Bethicia B. Prasek, Frederick B. Growcock, David Kippie, John W. Vian, Kamila B. Abdur-Rahman, and Morris Arvie, Jr. A signed Declaration for Robert L. Horton, Bethicia B. Prasek, Frederick B. Growcock, David Kippie, John W. Vian, and Morris Arvie, Jr. in compliance with 37 CFR § 1.68 was submitted with the filing of the application on July 15, 2003. Kamila B. Abdur-Rahman signed that Declaration but failed to date her signature. After a diligent effort, the petitioner has been unable to obtain a signed and dated supplemental Declaration from Kamila B. Abdur-Rahman. The only information on file for Kamila B. Abdur-Rahman is her last known residential address (listed below). A chronological proof of the pertinent facts relating to the petitioners efforts to obtain the supplemental Declaration is as follows:

Tab No.	Date(s)	Description
Tab 1	Assignment signed July 1, 2003	Assignment of rights to the invention known as "Surfactant-Polymer Compositions For Enhancing the Stability of

Tab No.	Date(s)	Description
		Viscoelastic-Surfactant Based Fluid" to M-I L.L.C. by Kamila B. Abdur-Rahman
Tab 2	Declaration filed July 15, 2003	Signed Declaration of Robert L. Horton, Bethicia B. Prasek, Frederick B. Growcock, David Kippie, John W. Vian, and Morris Arvie, Jr. and undated Declaration of Kamila B. Abdur-Rahman accompanied the filing of the patent application titled "Surfactant-Polymer Compositiions For Enhancing the Stability of Viscoelastic-Surfactant Based Fluid," later designated by the U.S. Patent and Trademark Office as U.S. Patent Serial No. 10/620,041
Tab 3	Letter sent September 21, 2005	Certified letter containing new Declaration sent to Kamila B. Abdur-Rahman at 12707 Bellaire Blvd. No. 303, Houston, Texas 77072. Certified letter returned to sender as "Attempted Not Known."

The last known residential address of Kamila B. Abdur-Rahman is:

12707 Bellaire Blvd. No. 303,
Houston, Texas 77072.

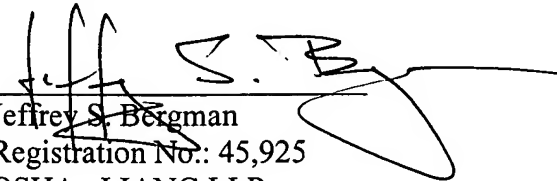
No other addresses for Kamila B. Abdur-Rahman are known.

In view of the petitioner's diligent attempts to obtain the signature of the unavailable inventor, enclosed documentation, and pursuant to 37 C.F.R. § 1.47, the petitioner requests that that the referenced application be examined without the signed Declaration of Kamila B. Abdur-Rahman.

A credit card form SB-08 for the petition fee is enclosed along with this Petition. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 05542/071002).

Dated: November 14, 2005

Respectfully submitted,

By 
Jeffrey S. Bergman
Registration No.: 45,925

OSHA · LIANG LLP
1221 McKinney St., Suite 2800
Houston, Texas 77010
(713) 228-8600
(713) 228-8778 (Fax)
Attorney for Applicant

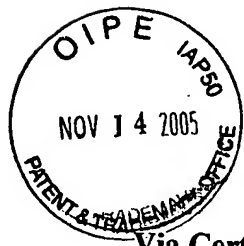
Attachments

Mi SWACO

M-I LLC

5950 North Course · Houston, Texas 77072

Tel: 281-561-1300 · Fax: 281-561-1452 · www.miswaco.com



Via Certified Mail.

Writer's Direct Dial:

281-561-1451

Lbardin@miswaco.com

September 21, 2005

Ms. Kamila B. Abdur-Rahman
12707 Bellaire Blvd. #303
Houston, TX 77072

Re: *U.S. Patent Application No. 10/620,041*
Entitled: Surfactant-Polymer Compositions for Enhancing the Stability of Viscoelastic-Surfactant Based Fluid
Inventors: Robert Horton, Bethicia B. Prasek, Frederick Growcock, David P. Kippie, John Vian, Kamila Abdur-Rahman, Morris Arvie
M-I L.L.C. Ref: PA-00146US


Dear Ms. Abdur-Rahman:

We write you regarding the above-referenced U.S. application in which you are listed as an inventor. In July 2003, when the application was filed, you as well as the other inventors signed the Declaration. However, we have recently received a notice from the Patent Office that your signature is not dated, therefore they are requiring we submit a new declaration with a new signature and date.

We have enclosed a new Declaration for your execution as well as a copy of the application and original Declaration you signed. Please sign and date the new declaration and forward to us in the enclosed return FedEx envelope as soon as possible.

Please do not hesitate to contact me or Carter White at 281-561-1450 or cjwhite@miswaco.com should you have any questions. We appreciate your help with this matter.

Regards,


Leah S. Bardin
Patent Paralegal

Encl.

cc: Carter J. White, Ph.D.

- Complete items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Kamila B. Abdur-Rahman
12707 Bellaire Blvd.
#303
Houston TX 77072

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

X

☐ Agent

☐ Addressee

D. Is delivery address different from item 1?

If YES, enter delivery address below:

☐ Yes

☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☒ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number (Copy from service label)

70993400 0016 88795899

PS Form 3811, July 1999

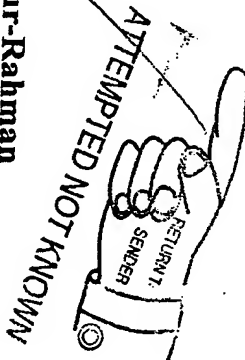
Domestic Return Receipt

102595-00-M-0952

MISWACO

Legal Dept. - Patents
5950 North Course Drive
Houston, Texas 77072

Ms. Kamila B. Abdur-Rahman
12707 Bellaire Blvd. #303
Houston, TX 77072



7099 3400 0016 8879 5899



I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. _____, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: _____ Signature: _____ 0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SURFACTANT-POLYMER COMPOSITIONS FOR ENHANCING THE STABILITY OF VISCOELASTIC-SURFACTANT BASED FLUID

the specification of which was filed on July 15, 2003 as Application No. 10/620,041.

In the event that the filing date and/or Application No. are not entered above at the time I execute this document, and if such information is deemed necessary, I hereby authorize and request my attorneys/agent(s) at **Osha · Liang LLP**, 1221 McKinney St., Suite 2800, Houston, Texas 77010, to insert above the filing date and/or Application No. of said application.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☒ no such foreign applications have been filed

☐ such foreign application have been filed as follows:

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing	Priority Claimed Under 35 USC 119

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing

CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

☐ no such U.S. provisional applications have been filed.

☒ such U.S. provisional application have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119
60/319,575	September 25, 2002	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

☒ no such U.S./PCT applications have been filed.

☐ such U.S./PCT application have been filed as follows:

Application Number	Relationship	Parent Application	Date of Filing

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please mail all correspondence to Jeffrey S Bergman, whose address is:

Osha · Liang LLP
1221 McKinney St., Suite 2800
Houston, Texas 77010

Please direct telephone calls to: Jeffrey S. Bergman at (713) 228-8600.

Please direct facsimiles to: (713) 228-8778

Full name of sole or first inventor Robert L. Horton	
Sole or first inventor's signature	Date
Residence Sugar Land, Texas	
Citizenship US	
Mailing Address 1103 Springdale Ct. Sugar Land, Texas 77479	

Full name of second inventor, if any Bethicia B. Prasek	
Second inventor's signature	Date
Residence Houston, Texas	
Citizenship US	
Mailing Address 2215 Avenida La Quinta, Apt. 903 Houston, Texas 77077	

Full name of third inventor, if any Frederick B. Growcock	
Third inventor's signature	Date
Residence Houston, Texas	
Citizenship US	
Mailing Address 1514 Dodd Lane Houston, Texas 77077	

Full name of fourth inventor, if any David P. Kippie	
Fourth inventor's signature	Date
Residence Katy, Texas	
Citizenship US	
Mailing Address 3610 Perdarnales Trails Lane Katy, Texas 77450	

Full name of fifth inventor, if any John W. Vian	
Fifth inventor's signature	Date
Residence Deer Park, Texas	
Citizenship US	
Mailing Address 3317 Greenwood Pl. Deer Park, Texas 77536	

Full name of sixth inventor, if any Kamila B. Abdur-Rahman	
Sixth inventor's signature	Date
Residence Houston, Texas	
Citizenship US	
Mailing Address 12707 Bellaire Blvd. #303 Houston, Texas 77072	

Full name of seventh inventor, if any Morris Arvie	
Seventh inventor's signature	Date
Residence Houston, Texas	
Citizenship US	
Mailing Address 11655 Briar Forest #83 Houston, Texas 77077	

Full name of eighth inventor, if any	
Eighth inventor's signature	Date
Residence	
Citizenship	
Mailing Address	

**DECLARATION FOR PATENT APPLICATION**

As a below named inventor, I hereby declare as evidenced by my signature that:

My residential address, mailing address and citizenship are as stated below next to my name,

I believe that the below named inventor(s) are the original, first and joint inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

SURFACTANT-POLYMER COMPOSITIONS FOR ENHANCING THE STABILITY OF VISCOELASTIC-SURFACTANT BASED FLUID

the specification of which

☒ is attached hereto.

☐ was filed on _____ as

Application Serial No. _____

and was amended _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information that may be material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

PRIOR UNITED STATES PROVISIONAL APPLICATION(S):

☒ I hereby claim domestic priority benefits under Title 35, United States Code, §119(e) of any provisional application(s) for patent listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior provisional application and the national or PCT international filing date of this application:

60/ 319,575

September 25, 2002

copending

(Application Serial No.)

(Filing Date)

(Status)

I hereby appoint the following, each associated with Customer Number 27551, to prosecute this application and to transact all business in the Patent and Trademark Office connected with this application:

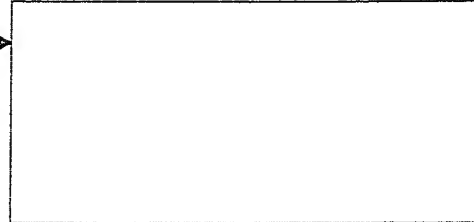
STEPHEN H. CAGLE, Attorney (Reg. No. 26,445), CARTER J. WHITE, Attorney (Reg. No. 41374), each an attorney or agent with the law firm of HOWREY SIMON ARNOLD & WHITE, LLP, and each associated with Customer Number 27551, as its attorney or agent so long as they remain with such law firm.

I direct that:

All correspondence be directed to:

Customer No. 27551 Place label here →

HOWREY SIMON ARNOLD & WHITE, LLP
750 Bering Dr.
Houston, TX 77057



All telephone calls are to be directed to: Carter White, at telephone number: 713 268 1372.

I hereby declare, as evidenced by my signature below, that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

First Inventor's signature

Robert L. Horton

07/01/2003
Date

First Inventor's Full Name
(Printed)

Robert L. HORTON

Residential Address

1103 Springdale Ct.
Sugar Land, TX 77479
USA

Mailing Address

Same as above

Citizenship

US

Second Inventor's signature
(if any)

Bethia B. Prasek 7-1-2003
Date

Second Inventor's Full Name
(Printed)

Bethia
~~Bethia~~ PRASEK

Residential Address

2215 Avendia La Quinta, Apt 903
Houston, TX 77077
USA

Mailing Address

Same as above

Citizenship

US

Third Inventor's signature
(if any)

Frederick B. Growcock 7-1-2003
Date

Third Inventor's Full Name
(Printed)

Frederick B. GROWCOCK

Residential Address

1514 Dodd Lane
Houston, TX 77077
USA

Mailing Address

Same as above

Citizenship

US

Fourth Inventor's signature
(if any)

David Kippie 7/1/03
Date

Fourth Inventor's Full Name
(Printed)

David KIPPIE

Residential Address

3610 Pedernales Trails Ln.
Katy, TX 77450
USA

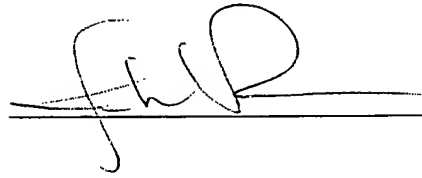
Mailing Address

Same as above

Citizenship

US

Fifth Inventor's signature
(if any)



1 July 2003
Date

Fifth Inventor's Full Name
(Printed)

John W. VIAN

Residential Address

3317 Greenwood Pl.
Deer Park, TX 77536
USA

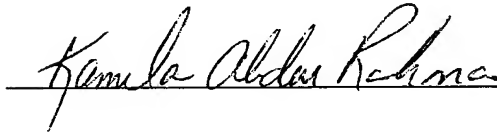
Mailing Address

Same as above

Citizenship

US

Sixth Inventor's signature
(if any)



Date

Sixth Inventor's Full Name
(Printed)

Kamila B. ABDUR-RAHMAN

Residential Address

12707 Bellaire Blvd. # 303
Houston, TX 77072
USA

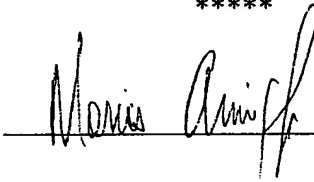
Mailing Address

Same as above

Citizenship

USA

Seventh Inventor's signature
(if any)



7/11/03

Date

Seventh Inventor's Full Name
(Printed)

Morris ARVIE, Jr.

Residential Address

11655 Briar Forest, #83
Houston, TX 77077
USA

Mailing Address

Same as above

Citizenship

US

ASSIGNMENT

In consideration of the sum of one dollar (\$1.00) or equivalent and other good and valuable consideration paid to each of the undersigned: Robert L. Horton; Bethicia Prasek; Frederick B. Growcock; David Kippie; John W. Vian; Kamila B. Abdur-Rahman; Morris Arvie, Jr. the undersigned hereby sell(s) and assign(s) to M-I LLC. (the "Assignee"), a corporation of Delaware, having a place of business at 5950 North Course Drive, Houston, TX 77072, his/her entire right, title and interest

check applicable box(es) ☒: for the United States of America (as defined in 35 U.S.C. § 100),
 ☒: and throughout the world,

in the invention(s) known as SURFACTANT-POLYMER COMPOSITIONS FOR ENHANCING THE STABILITY OF VISCOELASTIC-SURFACTANT BASED FLUID for which application(s) for Letters Patent in the United States of America has (have) been executed by the undersigned on event date (also known as United States Patent Application No. 10/ , filed , 2003), in any and all applications thereon, in any and all Letters Patent(s) therefor, and in any and all reissues, extensions, renewals, reexaminations of such applications or Letters Patent(s) and divisional and continuation applications thereof, to the full end of the term or terms for which such Letters Patent(s) issue, including all claims, if any, that may have arisen for infringement prior to the date of this assignment, such entire right, title and interest to be held and enjoyed by the above-named Assignee to the same extent as they would have been held and enjoyed by the undersigned had this assignment and sale not been made.

The undersigned agree(s) to execute all papers necessary in connection with the application(s) and any continuing (continuation, divisional, or continuation-in-part), reissue, reexamination or corresponding application(s) thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

The undersigned agree(s) to execute all papers necessary in connection with any interference that may be declared concerning the application(s) or any continuing (continuation, divisional, or continuation-in-part), reissue or reexamination application thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference.

The undersigned hereby authorizes and requests the government authority to issue any and all Letters Patent granted on such inventions to the Assignee.

The undersigned hereby warrants and represents that the undersigned has full right to convey the entire interest herein assigned, and that the undersigned has not executed, and will not execute, any agreement in conflict therewith.

The undersigned hereby expressly intends this agreement to be binding on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

IN WITNESS WHEREOF, executed by the undersigned on the date(s) opposite their name(s).

Signature: Robert Horton Date: 07/01/2003
 Printed Name: Robert L. Horton

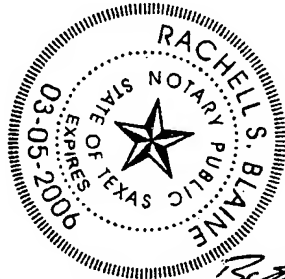
COUNTY OF Harris)
 STATE OF Texas) ss.

BEFORE ME, the undersigned authority, on this 1st day of July, 2003, personally appeared Robert Horton, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Rachell S. Blaine

Notary or Consular Officer

[SEAL]



Signature: Bethicia Prasek Date: July 1, 2003
 Printed Name: Bethicia Prasek

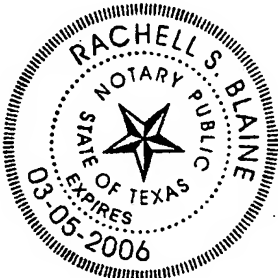
COUNTY OF Harris)
 STATE OF Texas) ss.

BEFORE ME, the undersigned authority, on this 1st day of July, 2003, personally appeared Bethicia Prasek, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same of her own free will for the purposes and consideration therein expressed.

Rachell S. Blaine

Notary or Consular Officer

[SEAL]



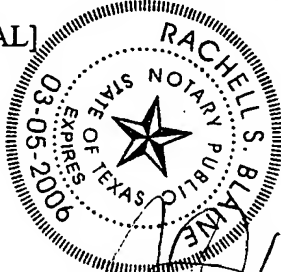
Signature: Frederick B. Grocock Date: 7-1-2003
 Printed Name: Frederick B. Grocock Grocock

COUNTY OF Harris)
 STATE OF Texas) ss.

BEFORE ME, the undersigned authority, on this 1st day of July, 2003, personally appeared Fred Grocock, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Rachell S. Blaine
 Notary or Consular Officer

[SEAL]



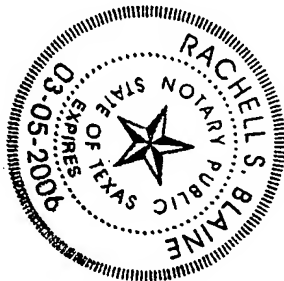
Signature: David Kippie Date: 7/1/03
 Printed Name: David Kippie

COUNTY OF Harris)
 STATE OF Texas) ss.

BEFORE ME, the undersigned authority, on this 1st day of July, 2003, personally appeared David Kippie, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Rachell S. Blaine
 Notary or Consular Officer

[SEAL]



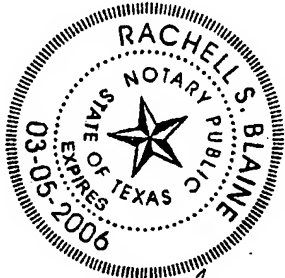
Signature: [Signature] Date: 1 July 2003
 Printed Name: John W. Vian

COUNTY OF Harris)
 STATE OF Texas) ss.

BEFORE ME, the undersigned authority, on this 1st day of July, 2003, personally appeared John Vian, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Rachell S. Blaine
 Notary or Consular Officer

[SEAL]



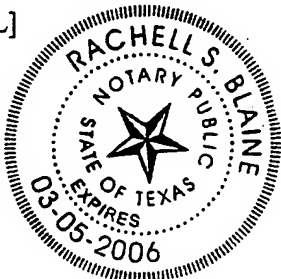
Signature: [Signature] Date: July 1, 2003
 Printed Name: Kamila B. Abdur-Rahman

COUNTY OF Harris)
 STATE OF Texas) ss.

BEFORE ME, the undersigned authority, on this 1st day of July, 2003, personally appeared Kamila Abdur-Rahman known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Rachell S. Blaine
 Notary or Consular Officer

[SEAL]



Signature: Morris Arvie, Jr. Date: 7/1/03
Printed Name: Morris Arvie, Jr.

COUNTY OF Harris)
STATE OF Texas) ss.

BEFORE ME, the undersigned authority, on this 1 day of July, 2003, personally appeared Morris Arvie, Jr., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Rachell S. Blaine

Notary or Consular Officer

[SEAL]

